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M&L Carpet Service

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

In Re:)	Case No. 2008-33636
M&L Carpet Service,)	
)	DC No: DEF-001
Debtor(s).)	
		MOTION TO ABANDON ASSETS

Date: September 14, 2010
Time: 9:30 a.m.
Place: Department C, Courtroom 35
United States Bankruptcy Court
501 I Street, Sacramento, California

Comes now Michael Digges, a general partnership, debtor in this case hereby moves that this Court Order Stephen C Ferlmann, the trustee in this case, to abandon the debtor's assets. In support of this motion, the debtor avers:

1. The debtor filed this bankruptcy case on September 24, 2008.
2. The first date set for the creditors' meeting under section 341 was November 3, 2008. The debtor appeared at the meeting.
3. The trustee declined to complete the meeting on that date, stating that he wanted to investigate to see if there were any assets.
4. On January 21, 2009, the trustee filed a Trustees Notice of Assets.
5. After investigation and oral representation of intent to file a Report of no Distribution the trustee has no filed a Notice of no Distribution and/or abandoned any assets.

1 6. Trustee has completed his investigation and has indicated to the Debtors council that he
2 would file a notice of no distribution. As of to day the trustee has not filed that document.

3 WHEREFORE, the debtor requests that this Court enter an Order abandoning all assets.

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5 Dated: July 8, 2010

/s/ David Foyil

6 David Foyil, Attorney for Debtor.
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